

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INVENSAS CORPORATION,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Civil Action No. 2:17-cv-670-RWS-RSP

JURY TRIAL DEMANDED

STIPULATION REGARDING REPRESENTATIVE COMPONENTS

Whereas the parties voluntarily seek to render more efficient the production, analysis, and presentation of the accused components for the purposes described herein and for the above-captioned lawsuit only, IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff Invensas Corporation (“Invensas”) and defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”), and subject to the approval of the Court, as follows:

1. The parties may rely, for purposes of infringement or non-infringement analysis of U.S. Patent Nos. 6,232,231 and 6,849,946, on the Exemplary Component listed below for a Component Group as representative of the components in the corresponding Component Group.
2. This Stipulation shall not apply to any non-Samsung branded component. For example, this Stipulation shall not apply to any Qualcomm-branded component.
3. The parties stipulate that, for purposes of infringement or non-infringement analysis of U.S. Patent Nos. 6,232,231 and 6,849,946, the Exemplary Components are representative of the components in the corresponding Component Group. Neither party will argue, cross examine, present

evidence, or suggest that any witness should have or needed to perform any infringement or non-infringement analysis of other components in the Component Group. Neither party will argue, present evidence, or suggest that the parties' infringement or non-infringement analysis is incomplete, inaccurate, or in any way deficient to address all components in a Component Group on the grounds that such analysis is based on an analysis of an Exemplary Component (and/or any documents relating thereto, including, for example, technical specifications, layout files, process recipes, and/or design rules). For the avoidance of any doubt, neither party will argue, present evidence, or suggest that a party has otherwise failed to carry (or rebut) its burden of proof as to infringement (or non-infringement) of components in the Component Group based upon the party's reliance on analysis of the Exemplary Components in the table below.

Component Type	Exemplary Component	Component Group
Application Processors	Samsung Exynos 8890	All Samsung Exynos application processors used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017 to October 10, 2018, whether standalone or as part of a product.
Flash memory used in devices other than solid state drives	Samsung KLUBG4G1CE-B0B1 Universal Flash Storage	All Samsung Flash memory and controllers for devices other than solid state drives (e.g., "planar NAND") used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017 to October 10, 2018, whether standalone or as part of a product.
Flash memory used in solid state drives	Samsung K9OMGY8S7M-CCK0 Flash Memory	All Samsung Flash memory for solid state drives (e.g., "V-NAND") used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017

		to October 10, 2018, whether standalone or as part of a product.
LPDDR3 DRAM	Samsung K4E8E164EB-SGCF LPDDR3 DRAM	All Samsung LPDDR3 Mobile DRAM with densities greater than 4 gigabits used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017 to October 10, 2018, whether standalone or as part of a product.
LPDDR4 DRAM	Samsung K3UH5H50MM-NGCJ LPDDR4 Mobile DRAM	All Samsung LPDDR4 Mobile DRAM (including LPDDR4X) used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017 to October 10, 2018, whether standalone or as part of a product.
DDR4 DRAM	Samsung K4A4G045WE DDR4 DRAM	All Samsung DDR4 DRAM used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017 to October 10, 2018, whether standalone or as part of a product.
Image Processors	Samsung S5C73C3X01 Image Processor	All Samsung image processors used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017 to October 10, 2018, whether standalone or as part of a product.
SSD Controllers	Samsung S4LN062X01-Y030 SSD Controller	All Samsung SSD controllers used, offered for sale, and/or sold within the United States, and/or imported into the United States, by Samsung from January 1, 2017 to October 10, 2018, whether standalone or as part of a product.
Display Drivers	Samsung S6E3HA6 Display Driver	All Samsung display drivers used, offered for sale, and/or sold within the United States, and/or imported into the United States, from January 1, 2017 to October

		10, 2018, whether standalone or as part of a product.
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4. This Stipulation and Proposed Order, and any final Order entered by the Court in response, may not be referenced, used as an exhibit, or otherwise presented to the jury other than for impeachment purposes. Provided, however, either party shall be permitted to enter into evidence at trial the foregoing table of Exemplary Components and corresponding Component Groups and the stipulated fact that the Exemplary Components are representative of the components in the corresponding Component Group, for purposes of infringement or non-infringement analysis of U.S. Patent Nos. 6,232,231 and 6,849,946. Either party may present such stipulated facts in the form of a trial stipulation or other instruction, or in any other manner directed by the Court.

5. By mutual agreement and with notice to the Court, the parties may amend this Stipulation and Proposed Order to add or remove Exemplary Components and/or Component Groups.

6. This Stipulation makes no representation about whether any component or Exemplary Component is or was sold or offered for sale in the United States by Samsung and cannot be used as proof of such.

7. The parties acknowledge that Samsung's obligation to produce technical information, including documents (for example, layout, process, GDS files, layer tables, specifications, any other documents necessary to describe the manufacture and development of an Exemplary Component, and the like), deposition testimony, and interrogatory responses, shall be limited to the identified Exemplary Component within each Component Group, and shall have no such discovery obligation with respect to other components of the respective Component Group. Except with respect to Exemplary Components, Invensas shall not argue, present evidence, or suggest in any hearing or trial

of this action for any purpose that Samsung's production of documents, deposition testimony, or interrogatory responses with respect to technical information for any other components of each respective Component Group was deficient or incomplete.

8. Samsung's obligation to produce financial and other damages-related information for each and every component within each Component Group, including documents (for example, bills of materials, cost information, sales and revenue data, and the like), deposition testimony, and interrogatory responses, remains unchanged by this Stipulation. Further, Samsung's obligation to produce technical information for any component outside of the Component Groups, or otherwise outside of the scope of this Stipulation (including non-Samsung branded components in this action and any accused components in any other action) remains unchanged by this Stipulation.

Dated: June 22, 2018

Respectfully submitted,

/s/ Clement J. Naples by permission Andrea Fair /s/ Mark Liang by permission Andrea Fair

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on June 22, 2018.

/s/ Andrea L. Fair